

ATTORNEY REGULATION ADVISORY COMMITTEE

MINUTES

Wednesday, October 3, 2012
1:00 p.m. to 5:00 p.m.

State Courts Building
1501 West Washington Street, Phoenix, Arizona
Conference Room 109

Present

Telephonically Present

Absent

Committee Members

Hon. William J. O'Neil (Chair)
John Tuchi
Alan P. Bayham, Jr
Emily Johnston
George Reimer
Maret Vessella
Patricia Sallen
Dr. Ronald R. Watson
Pamela Treadwell-Rubin
Hon. Lawrence Winthrop

James Drake, Jr.
J. Scott Rhodes
Benny Click

AOC Staff

Emily Holliday
Kathleen Curry
Mark Wilson

Regular Business

1:00 p.m. Call to Order and Introductions

Judge William O'Neil, Chair

Business Items and Potential Action Items

No. 1 Review and Approve April 2012 ARC minutes
Approved by voice count.

- No. 2* Discuss Pending Rule Petitions Judge O'Neil
- Early Bar Exam – Rule Petition R-12-0002
 - Supreme Court had question for petitioners and the law schools
 - Military Spouse Licensure – Rule Petition R-12-0020
 - Opened up for comment on proposal attached to the Order
 - Attorney Discipline – Rule Petition R-12-0010
 - Changes made by Court:
 - Default procedure kept consistent with Civil Rule
 - Contested Cost and Expense issues after a hearing
 - Approved by Court with changes
 - Become effective in January 2013
 - Attorney Discipline - Interim Suspensions – Rule Petition R-12-0019
 - Changes made by Court:
 - Undesignated Felony being a Misdemeanor – removed comments
 - Kept the requirement that the PDJ serve the Order for Interim Suspension
 - Show Probable Cause for Suspension and also need a finding that Interim Suspension is appropriate
 - Appealing of Interim Suspension or Denial of Interim Suspension – request for Stay filed with Opening Brief and will be sent to Court within 5 days
 - Approved by Court
 - Become effective in January 2013
 - Admission on Motion – Rule Petition R-12-0005
 - Continued - Pending before Court will deal with on November 9th
 - Petitioner requested change:
 - Current standard states that reciprocity tied to the jurisdiction in which you tested and passed the Bar exam
 - Will now move to where you practiced 5 of 7 years of active practiced.
 - Admission Oversight – Rule Petition R-12-0011
 - Adopted with minor changes
 - Liaison members from Committee on Exams and Character and Fitness Committee
- No. 3* Update by Subcommittees
- Admissions – John Tuchi
 - Meeting/Hearing once a month starting in January
 - Gathering input from expert and stakeholders on each topic presented
 - Will give ARC committee a presentation of all information
 - Rules – Judge O'Neil
 - Pending Supreme Court rulings on current issues
 - Costs – Pamela Treadwell-Rubin
 - No additional task at this time

No. 4 Update by Chair on Future Business

Judge O'Neil

- Set 2013 Meeting Dates
 - Proposed dates
 - Recommend picking quarterly dates in January, April,
 - Committee member requested no Mondays
- April 30 – ARC Annual Report

No. 5 Committee Comments and Next Steps

Judge O'Neil

- New issues for consideration
 - New ABA model rule possibly for Admission Subcommittee
 - Lawyer who is actively seeking admission - can move and practice while waiting for admission
 - ADPCC Committee
 - Judge Winthrop gave overview of the committee
 - Readmission cases
 - Judge O'Neil discussed the abundance of cases and issues

No. 6 Call to Public

- None

Adjournment of meeting by Judge O'Neil at 1:58pm